

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TERRENCE JOHNSON, JIM HARRIS,
ALEXANDER FRIEDMANN,
and JOSHUA ROBERTS

Plaintiffs,

vs.

PHIL BREDESEN, Governor of the State
Tennessee, BROOK THOMPSON,
Coordinator of Elections,
RILEY DARNELL, Secretary of State of
Tennessee, JAMES JOHNSON,
Administrator of Elections for Shelby
County, KIM BUCKLEY, Administrator of
Elections for Madison County, and
RAY BARRETT, Administrator of Elections
for Davidson County, in their official
capacities,

Defendants.

Case No. 03-08-0187

Hon. Thomas A. Wiseman, Jr.
U.S. District Court Judge

Hon. Juliet Griffin
U.S. Magistrate Judge

**STIPULATION OF DISMISSAL OF
COUNT SIX OF THE AMENDED COMPLAINT**

Plaintiff Alexander Friedmann and Defendant Ray Barrett, by and through counsel, and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate to the dismissal of Count Six (Violation of State and Federal Due Process Clauses) of the Amended Complaint.*

* Defendants Phil Bredesen, Riley Darnell, and Brook Thompson do not oppose this stipulation of dismissal. However, they maintain that they are not proper parties for purposes of Count Six of the Amended Complaint and, therefore, have declined to sign this stipulation.

On October 3, 2008, Plaintiff Friedmann agreed to satisfy any and all outstanding restitution payments related to his 1989 criminal conviction in exchange for Defendants agreeing to process Plaintiff Friedmann's Certificate of Restoration and his voter registration application in time for him to cast a ballot in the 2008 presidential general election. All parties met their obligations under this agreement. On October 30, 2008, Plaintiff Friedmann cast his vote in the presidential election and, upon information and belief, his vote was counted.

Because the parties have resolved Plaintiff Friedmann's due process claim, dismissal of this claim with prejudice (Count Six) is appropriate.

Respectfully submitted,

/s/Nancy G. Abudu

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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of November, 2008, a copy of the foregoing was served on counsel of record for defendants, addressed as follows, via the court's electronic filing system:

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